

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CLARK WALKER,

Plaintiff,

v.

CONTRA COSTA COUNTY, et al.

Defendants.

NO. C03-3723 TEH

ORDER VACATING PRE-TRIAL
AND TRIAL DATES AND
SCHEDULING SUMMARY
JUDGMENT MOTION

On May 11, 2005, the Court ordered the filing of revised opposition and reply briefing on defendants' motion for summary judgment, and took the hearing on that motion off calendar. The cause for that inconvenience to the Court and defendants was plaintiff's counsel's improper notice to the Court that counsel planned to rely at oral argument on points and authorities regarding a mixed-motive theory that had been entirely omitted from the original opposition brief. Having ordered and received the revised briefing, the Court now sets hearing on the motion for July 11, 2005 at 10:00 a.m.

Given the current scheduling of the summary judgment hearing, the Court VACATES the pre-trial conference and trial dates (currently set for June 27 and July 12, 2005 respectively), as well as the deadlines for submission of all pre-trial filings -- including the pre-trial conference statement, jury instructions, verdict forms, in limine motions, and lodging of exhibits -- which will be reset following determination of the summary judgment motion.

IT IS SO ORDERED.

DATED June 16, 2005

/s/
THELTON E. HENDERSON, JUDGE
UNITED STATES DISTRICT COURT